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9 *GYBB Recycling, LLC; Benny Yamagata;*
10 *GY General Industries, LLC; and*
11 *Yamagata Enterprises Family Office, LLC*

7 **IN THE UNITED STATES DISTRICT COURT**
8 **FOR THE DISTRICT OF NEVADA**

9 * * *

10 3500-3675 PROCYON LLC, a Delaware
11 limited liability company,

Case No.: 2:18-cv-01665-APG-GWF

12 Plaintiff,

13 vs.

14 BB RECYCLING, INC., a Nevada corporation;
15 GYBB RECYCLING, LLC, a Nevada limited liability company; BERT BORS, an individual; BENNY YAMAGATA, an individual; GY GENERAL INDUSTRIES, LLC, a Nevada limited liability company; YAMAGATA ENTERPRISES FAMILY OFFICE, LLC, a Nevada limited liability company; and DOES 1 through X, inclusive; and ROE BUSINESS ENTITIES XI through XX, inclusive,

STIPULATION, REQUEST AND ORDER EXTENDING TIME TO ANSWER OR OTHERWISE RESPOND TO PLAINTIFF'S COMPLAINT (First Request)

16 Defendants.

21
22 Defendants GYBB RECYCLING, LLC; BENNY YAMAGATA; GY GENERAL INDUSTRIES, LLC; and YAMAGATA ENTERPRISES FAMILY OFFICE, LLC (collectively the "GYBB Defendants") and Plaintiff 3500-3675 PROCYON, LLC, by and through their respective counsel, hereby respectfully submit this Stipulation, Request and Order Extending Time to Answer or Otherwise Respond to Plaintiff's Complaint (the "Stipulation"). This Stipulation is made in accordance with LR IA 6-1, LR IA 6-2, and LR 7-1 of the Local Rules of

1 this Court. This is the first request for an extension of time to file an answer or otherwise
2 respond to Plaintiff's Complaint.

3 The GYBB Defendants accepted service of Plaintiff's Complaint on September 26,
4 2018. As such, the GYBB Defendants' responsive pleading is due October 26, 2018. The
5 instant extension is requested as the GYBB Defendants seek to discuss a settlement with
6 Plaintiff. If settlement discussions fail, the GYBB Defendants' counsel requires additional time
7 to prepare a responsive pleading to Plaintiff's Complaint.

Upon agreement by and between all the parties hereto as set forth herein, the GYBB Defendants respectfully request that this Court grant an extension of time, up to and including November 9, 2018, for the GYBB Defendants to file an answer or otherwise respond to Plaintiff's Complaint. By entering into this Stipulation, none of the parties waive any rights they have under statute, law or rule with respect to Plaintiff's Complaint or responding to the same.

14 DATED this 24th day of October, 2018.

DATED this 24th day of October, 2018.

15 | KEMP, JONES & COULTHARD, LLP

ALBRIGHT, STODDARD,
WARNICK & ALBRIGHT

/s/ Mark M. Jones

/s/ D. Chris Albright

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ORDER

IT IS SO ORDERED.

George Foley Jr.

UNITED STATES MAGISTRATE JUDGE

Dated: 10-25-2018